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ASIS FOR APPEAL: Dusk to Dawn Beach Closures Are Illegal

Regarding Dusk to Dawn California beach closures, the following was written by then-acting California Coastal Commission Chairwomen Bonnie Neeley, and published in the LA Times in December 2010:

"For more than 30 years the commission has dealt with local governments seeking to control where, when and how the public can enjoy the beach, and access State waters. It has never found that nighttime public use problems warrant dusk-to-dawn closures.

Unfortunately, we often find that public access restrictions imposed by local government are motivated by political pressure from residents annoyed by the presence of outsiders. In those cases the commission stands firmly for protecting public access rights. Safeguarding public coastal access, after all, was a primary reason the Coastal Commission was created.

Public use and enjoyment of our beaches is not limited to daylight hours. For every troublemaker there are many more law-abiding citizens who come to the beach at night to walk in moonlight or under the stars seeking tranquility, relaxation, spiritual renewal or self-contemplation. Whether taking a stroll after the graveyard shift, hitting the waves in the dark before dawn, or watching the moon set with a lover, the public has a right to enjoy California's coast at all hours but within reason.

People fortunate enough to reside on or near a beach should realize they are privileged to live adjacent to public space and must accommodate the impacts associated with public use. Of course residents have a right to expect reasonable law enforcement when needed. If local government doesn't provide this essential service, residents can petition their elected officials for a reallocation of resources. (But) sweeping beach closures are not the answer.

What neither we, nor the public, want or need is wasteful litigation to confirm longestablished public coastal access rights. If reason and common sense are brought to the table, we are confident a meaningful outcome can be achieved."

[SNIP]

To Neeley's column, the following comment should also be considered from former Coastal Commission Executive Director Peter Douglas, who said: "There are a lot of people who want to use the beach, which they have a constitutional right to do, in the middle of the night...You don't preclude the public from that use ..."

In summary, SLO County is legally obligated in every possible way to keeping this beach open to the public without exception to time of day. To do otherwise invites costly litigation, and is a violation not only of the county's legal obligations, but of the public trust. I strongly encourage the board to adhere not merely to the letter of the law, but the spirit of the law: Access to the ocean and beaches is a fundamental, natural human right.

In legal documents ranging from the California Constitution, to the Coastal Act, to the Local Coastal Plan, all the way through every legal document agreed to by the county during the acquisition of Cale Landing/Pirate's Cove, there are guarantees of open public access to coastal lands. Indeed, all of these documents call again and again for maximizing public access. Closing the beach for 157 days of the year -- all of the cumulative hours of proposed night closure -- would have the exact opposite effect.

Below are samplings and excepts from those documents:

CALIFORNIA CONSTITUTION ARTICLE 10: WATER

SEC. 4. No individual, partnership, or corporation claiming or possessing the frontage or tidal lands of a harbor, bay, inlet, estuary, or other navigable water in this State, shall be permitted to exclude the right of way to such water whenever it is required for any public purpose, nor to destroy or obstruct the free navigation of such water; and the Legislature shall enact such laws as will give the most liberal construction to this provision, so that access to the navigable waters of this State shall be always attainable for the people thereof.

COUNTY OF SAN LUIS OBISPO

LOCAL COASTAL PROGRAM POLICY DOCUMENT A PORTION OF THE SAN LUIS OBISPO COUNTY LAND USE ELEMENT OF THE GENERAL PLAN

COASTAL PLAN POLICIES REVISED JUNE 2004 2-7 SHORELINE ACCESS

Issues Relating to Shoreline Access. The right of public access to all coastal tidelands is guaranteed by the California Constitution and has been detailed in the requirements of the California Coastal Act. The act requires acknowledgment of existing rights of access (including those acquired through historic use) and mandates that reasonable access be provided in new developments along the coast. The access component of the LCP assures opportunities for optimum public access within the county.

From Pirate's Cove Acceptance Resolution:

"WHEREAS, there is a public need and it is in the best interest of the County and the general public to accept certain offers to dedicate allowing public pedestrian access to and from the shoreline, public pedestrian access and passive recreational use along the shoreline, parking and other public trails and recreational uses."

From page 11, 12 of the Cave Landing Trail Project Description and Regulatory Compliance Document:

Shoreline Access - Mallagh Landing. New development shall be required to incorporate means to ensure that public access will be permitted on a permanent basis. Such assurance could include an offer-to-dedicate or a deed restriction. The extent of dedication and improvements, and the appropriate agency for maintenance will be determined as a part of the Development Plan. The level of public access required must be consistent with the extent of development approved and the potential prescriptive rights which may exist in the area. However, the minimum requirement shall be a means of ensuring public use of the sandy beach and a bluff top area for parking. Other improvements which may be appropriate include:

This is from the San Luis Bay Area Coastal Plan, Page 45:

Goal: Maximize public access and recreation opportunities within the Beach and Bluff planning subarea and provide open space and complementary facilities where appropriate. Requirement of the Coastal Act:

4. Public Access and Recreation

Applicable Policies

Coastal Act Section 30604(c) requires that every coastal development permit issued for any development between the nearest public road and the sea "shall include a specific finding that the development is in conformity with the public access and public recreation policies of [Coastal Act] Chapter 3." The proposed project is located seaward of the first through public road and thus such a finding is required. Coastal Act Sections 30210 through 30213 and 30221 specifically protect public access and recreation. In particular:

From the County's own final analysis of the acquisition of Pirate's Cove:

LCP policies amplify such requirements, including:

Access Policy 2. Maximum public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development...

Recreation Policy 1. Coastal recreational and visitor-serving facilities, especially lower-cost facilities, shall be protected, encouraged and where feasible provided by both public and private means.

Recreation Policy 2. Recreational development and commercial visitor-serving facilities shall have priority over non-coastal dependent use, but not over agriculture or coastal dependent industry in accordance with PRC 30222.

In summary, the California Constitution ⁴³ and the federal Coastal Zone Management Act ⁴⁴ mandate the protection and enhancement of public access to and along California's coastline. The Coastal Act and the County's certified LCP refine these requirements, including prioritizing public recreational use and development in areas along the shoreline such as this one. Coastal Act Section 30210 requires that public recreational opportunities be maximized, ⁴⁵ and Section 30211 further requires that development not interfere with existing public access. Section 30221 protects oceanfront land such as the area associated with this application for recreational use, Section 30222 prioritizes the use of lands suitable for visitor-serving commercial recreational facilities, and Section 30223 similarly reserves upland areas necessary to support public recreational uses for such uses. Coastal Act Section 30213 requires lower-cost visitor and recreation facilities to be protected, encouraged, and where feasible, provided. These overlapping policies protect the Pirates Cove accessway area, including access along Cave Landing Road, the parking lot, the trails and the scenic overlook, including in terms of lower-cost access and recreational opportunities.

In conclusion, it is apparent that 'closing' nature at night is not only unethical, and against the spirit of every law intended to thwart this kind of action, but also illegal, and invites expensive lawsuits. The seven hundred co-signers of the Friends of Pirate's Cove petition, along with the appellant, ask the county to sensibly abandon this plan altogether.

Where the county has concerns for public safety or littering, we are more than happy to contribute ideas, suggestions and policy discussions towards mitigating those concerns. As concerns county liability, one suggestion that has been put forth is that the county may be able to mitigate liability simply by declining to develop the area. By not deliberately attracting visitation, or, indeed, by placing a sign at the entrance to Cave Landing Road reading 'NOTICE: This area is wild and undeveloped. Entry indicates assumption of all risk upon those who choose to visit', we may be able to deflect liability altogether.

BASIS FOR APPEAL: Environmental and Cultural

The Mitigated Negative Declaration ("Negative Declaration") adopted by the Planning Commission is marked by grave deficiencies in its characterization of the environmental baseline. Instead of performing an accurate, meaningful analysis of the existing environmental conditions, the Negative Declaration analyzes a hypothetical environmental baseline that, among other things, fails to account for existing historic and cultural resources as well as existing recreational opportunities affecting existing uses of the site which the public has acquired a right to by prescription¹. The Negative Declaration's failure to account for the "existing environmental settings" renders it inadequate under section 15125 of the CEQA guidelines², which require that the baseline must include existing conditions.

A standard for development, as identified in "Policy 1: Protection of existing access" within the "shoreline access" section of the Coastal Plan Policies³ ("CPP"), on page 2-11, requires that "[d]evelopment shall not interfere with the public's right of access to the sea where acquired through historic use." The project, at its inception, involves closure of the beach during night hours which will immediately and significantly impact the historic use of the site. The site, "the Mallagh Landing area (Pirate's Cove)" is the last piece of undeveloped beach wilderness between Port San Luis and Oceano, which, according to page 2-5 of the CPP, "has experienced intensive recreational use." The public's intensive recreational use is completely ignored in the Negative Declaration adopted by the planning commission, which devotes all of one paragraph to addressing all of the project's impacts to recreation opportunities prior to concluding that the impact will be "insignificant." (See Negative Declaration, p. 2-75 through 2-76). The CPP, discussing Pirate's Cove on p. 2-5 acknowledges that "[p]rescriptive rights may exist within the area." The mitigated negative declaration is flawed because it fails to address the potentially

¹ "A successful claimant of a prescriptive easement...gains not title but the right to make a specific *use* of someone else's property." <u>Main St. Plaza v. Cartwright & Main, LLC</u>, 194 Cal. App. 4th 1044, 1054, 124 Cal. Rptr. 3d 170, 178 (2011)

significant impacts that the project will have upon the existing environmental conditions regarding the recreational uses and the prescriptive rights that have arisen as a result of such

Phoseline

² "To decide whether a given project's environmental effects are likely to be significant, the agency must use some measure of the environment's state absent the project, a measure sometimes referred to as the 'baseline' for environmental analysis. Thus, an inappropriate baseline may skew the environmental analysis flowing from it, resulting in an EIR that fails to comply with CEQA." Citizens for E. Shore Parks v. California State Lands Com., 202 Cal. App. 4th 549, 557, 136 Cal. Rptr. 3d 162, 171 (2011), review denied (Mar. 14, 2012), as modified on denial of reh'g (Jan. 27, 2012)

³ Available at http://www.slocounty.ca.gov/Assets/PL/Elements/Coastal+Plan+Policies.pdf

uses, in a manner inconsistent with the provisions of the CPP that implement § 30211 of the Coastal Act⁴.

Policy 1 of the CPP requires that "where prescriptive rights exist...the appropriate amount of public use should be established through the review process at the time of development." In addition to the interference with the public's prescriptive right to use Pirate's Cove at night, the project will potentially impact the character of the prescriptive sunbathing rights that have arisen through historical use at Pirate's Cove. As a preliminary matter, sunbathing is a "Coastal Dependent Recreation" and the Coastal act gives priority to coastal dependent recreational activities (CPP, p. 3-2). More significantly, it is important for the County to recognize that "the allowable usage of the prescriptive easement is defined by its historical usage." Twin Peaks Land Co. v. Briggs, 130 Cal. App. 3d 587, 594, 181 Cal. Rptr. 25, 28 (Ct. App. 1982). See also Cal. Civ. Code § 806, which in relevant part states that "the extent of a servitude is determined by...the nature of the enjoyment by which it was acquired."



The Planning Commission does not have the right to, by issuing the Negative Declaration, circumvent the discussion of the project's potentially substantial interference with the prescriptive rights of the public at stake which have been acquired through historic use of the site. This exact issue was considered in the case of Burch v. Gombos, 82 Cal. App. 4th 352, 362, 98 Cal. Rptr. 2d 119, 126 (2000) ("Burch"), where the Court determined that the "the scope of a prescriptive easement is determined by the use through which it is acquired. A person using the land of another for the prescriptive period may acquire the right to continue such use, but does not acquire the right to make other uses of it... We see no reason the same rule should not apply to a public easement that has arisen through...dedication⁵." By approving a project that impacts the historical uses which gave rise to the prescriptive rights on the project site, such that the project may ultimately lead to extinguishment of the prescriptive rights, without any discussion of the project's impact upon those uses or rights, the planning commission has failed to comply with the policies and standards in the CPP, the CEQA guidelines, the provisions of the Coastal Act, and Article 10, Section 4 of the California Constitution⁶.

The project will significantly impact the public customs and uses of the site in a manner that the affected parties did not anticipate because the County has not provided

⁴ "Development shall not interfere with the public's right of access to the sea where acquired through use...including, but not limited to, the use of dry sand and rocky coastal beaches..."

⁵ See also <u>Jones v. Deeter</u>, 152 Cal. App. 3d 798, 802, 199 Cal. Rptr. 825, 827 (Ct. App. 1984), holding that "[a] dedication is legally equivalent to the granting of an easement."

⁶ "No individual, partnership, or corporation, claiming or possessing the frontage or tidal lands of a harbor, bay, inlet, estuary, or other navigable water in this State, shall be permitted to exclude the right of way to such water whenever it is required for any public purpose..."

adequate notice to the interested members of the public. This can be seen from the fact that in the aftermath of the decision, Friends of Pirate's Cove circulated a petition, which can be viewed at https://www.change.org/petitions/san-luis-obispo-county-board-of-supervisors-maintain-cave-landing-pirate-s-cove-as-free-open-undeveloped-wilderness (a printed-out copy of this petition has been attached as **EXHIBIT A**); in only one week, this petition has garnered substantial public support from nearly 700 locals and visitors who would prefer that the county consider proceeding with the "no project" alternative. These stakeholders did not have an opportunity to bring their concerns to the attention of the planning commission because of inadequate notice, and the decision to adopt the mitigated negative declaration will further deprive them of a meaningful opportunity to voice their concerns by circumventing the public discussions regarding the potentially significant impacts that the California Environmental Quality Act intended to sponsor.

On May 24, 2013, Ryan Hostetter received a proposal to prepare an environmental impact report and to provide consultant services for Avila Point Project from Aaron P. Goldschmidt, which can be found at the following link:

http://www.slocounty.ca.gov/Assets/PL/EIR/2013/Avila+Point+Project/Proposals+from+Consultants/AMEC.pdf

The 86-page proposal details plans to make significant changes to the entire region surrounding Pirate's Cove. According to page 20 of the proposal, the project would require, among other things:

- * Local Coastal Program/General Plan Amendments to change the site's land use designation to Recreation from Industrial;
- * Amendments to the Avila Beach Specific Plan;
- * Rezoning of the site from Industrial to Recreation;
- * Approval of a Development Plan;
- * Approval of a Vesting Tentative Tract Map;
- * Approval of a Remedial Action Plan Permit; and,
- * Issuance of a Coastal Development Permits (CDP) for the Project site

All of these changes to the region surrounding Pirate's cove were not discussed or noted for discussion during the meeting on July 25, 2013 where Ryan Hostetter recommended to the planning commission to proceed with the Cave Landing Trail.

The failure to disclose the pending proposed modifications to the landscape resulted in a misleading discussion of the project that occurred out of context. This compounded the problems that occurred as a result of the usage of a hypothetical environmental baseline that did not accurately reflect the existing environmental and cultural conditions.

The people are entitled to an honest discussion of the fate of their beaches, as well as transparency, full disclosure, the right to understand how their cultural resources would be altered in context of the two projects, and the right to understand how their recreational opportunities may likely be impacted as a result.

The creation of a direct link from the proposed Avila Point Resort, along with all of the expected promotional efforts of both the resort and the county, in addition to trail and facility 'improvements', will radically alter both the number and character of the visitors to Pirate's Cove. While the area has traditionally been 'off the beaten path', and has largely attracted only the adventurous and those who have gone out of their way to find wilderness and relative solitude, the combination of these two development projects will potentially result in hundreds of additional visitors to Whale's Cave/Pirate's Cove on any given day.

Those who presently utilize the beach at Pirate's are of the same character and nature as those who have sought this place out for decades: They come to this beach to escape from the throngs of tourists who overcrowd the beaches at Avila and Pismo. They come seeking and expecting tolerance in their choice of how to experience nature naturally; but also out of respect for the tourists themselves: While clothing-optional sunbathing is technically legal on any beach (or anywhere else) in California, the generally accepted social norm in Pismo or Avila is to (rather inexplicably) wear clothing while sunbathing and swimming. Those who frequent Pirate's do not challenge this convention, but instead sought their own space, where they could neither be offended, nor give offense, to anyone.

A massive influx of new visitors, steeped in the prevailing cultural norms, is necessarily a threat to the long-existing cultural norms of the beach. History is rich with examples of cultural oppression and outright annihilation of minority cultures at the hands of those steeped in religious and conservative traditions; this destruction is often aided and enforced by government, which, wishing to be seen as 'good' in some hypothetical war between 'good and evil', facilitates the oppression.

Directing throngs of new visitors to a place that they have not sought out, and did not previously seek to go on their own, only threatens an existing culture which has gone out of its way to remove itself from any opportunity to offend such sensibilities. This is an existing culture and historical resource that deserves every bit as much protection as any other.

Friends of Pirate's Cove, and the appellant, are not suggesting that visitors to this this area be limited in any way (we advocate the exact opposite: complete free and open use by all). What

we are suggesting, and advocating, is that the county refrain from creating a 'trail of breadcrumbs' from the resort into the wilderness, including signs and picnic tables and all the amenities of the resort (or civilization in general), creating an expectation in the visitor that this wild place is culturally identical to the resort itself, and is governed under the same cultural norms as Pismo and Avila. It is not, and never has been. If visitors find their way to the beach, let them come, and they will be welcomed — but let them find it themselves, and with full knowledge, due to a visual absence of development, that this area is wild, free, and natural.

The Board of Supervisors should remand to the Planning Commission with specific instructions to inform the public of the context in which this project is contemplated to occur, and to solicit comments from, and address the concerns of, the hundreds and hundreds of beachgoers who have signed the petition.

Friends of Pirate's Cove reserves the right to supplement or amend its statement concerning the basis for this appeal in order to elaborate on its concerns in greater detail.

TABLE OF AUTHORITIES

Cases

Burch v. Gombos, 82 Cal. App. 4th 352, 362, 98 Cal. Rpt	r. 2d 119, 126 (2000)2
Citizens for E. Shore Parks v. California State Lands Con	1, 202 Cal. App. 4th 549, 557, 136 Cal. Rptr. 3d
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Jones v. Deeter, 152 Cal. App. 3d 798, 802, 199 Cal. Rpts	r. 825, 827 (Ct. App. 1984)3
Main St. Plaza v. Cartwright & Main, LLC, 194 Cal. App	. 4th 1044, 1054, 124 Cal. Rptr. 3d 170, 178
(2011)	1
Twin Peaks Land Co. v. Briggs, 130 Cal. App. 3d 587, 59	94, 181 Cal. Rptr. 25, 28 (Ct. App. 1982) 2
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§ 30211 of the Coastal Act	2
Article 10, Section 4 of the California Constitution	2
§ 30211 of the Coastal Act	
Local Laws	
"Policy 1: Protection of existing access" within the "shor	reline access" section of the Coastal Plan
Policies ("CPP"), on page 2-11	
CPP, discussing Pirate's Cove on p. 2-5	
CPP, p. 3-2	
page 2-5 of the CPP	1
Policy 1 of the CPP	
Policy I of the CPP),,
Administrative Record	
Negative Declaration, p. 2-75 through 2-76	1

EXHIBIT A

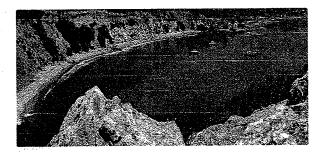
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Petitioning San Luis Obispo County Board of Supervisors Y San Luis Obispo County Board of Supervisors: Maintain Cave Landing/Pirate's Cove As Free, Open, Undeveloped Wilderness



with 670 supporters

Submitted August 8, 2013

1) Cave Landing/Pirate's Cove is the last undeveloped wilderness between Port San Luis and Oceano. Otherwise, every inch of this entire coastal access area has been developed as homes, condos, businesses, manicured beaches, or developed parks.

The California Environmental Quality Act (CEQA) requires that 'no development' be thoroughly discussed as an option in all such proposals. This discussion never took place in the county's public hearings regarding this land. This option needs to be fully advocated and evaluated.

2) At the time of the Planning Commission's vote to develop this area, the public was nearly universally unaware of the 100 acre resort/conference center/hotel/ restaurants/spa proposed for the adjacent land. Our concern is that under the present design, Cave Landing/Pirate's Cove would essentially become — visually, and perhaps in perception, as well — an extension of the resort. This would fundamentally alter the wild and pristine experience enjoyed by so many, both locals and the tourists, who specifically come to Cave Landing for just that experience.

3)The Dusk to Dawn closure, the proposed shrunken size of the parking lot, and the addition of stairs to the beach, all threaten free, unfettered access to the water, in violation of the California Constitution and the Coastal Act, as well as every legal document adopted by the county during the acquisition of the area. All of those documents and laws require, again and again, INCREASING access to the coast.

Recent counts of cars in the parking area by both Whales Cave Conservancy and Friends of Pirate's Cove establish that the area receives hundreds of visitors daily. A more certain public opinion poll could not be conceived: Clearly the public treasures this area just as it is.

We, the undersigned, support keeping Cave Landing/Pirate's Cove in a state of free and open wilderness, and ask that the County re-open the deliberative process to conform with legal requirements, while acknowledging the potential impact of Avila Point Resort proposal, and with an eye towards natural preservation.

Sincerely.

Sean R. Shealy

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1. Sean Shealy Arroyo Grande
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2. Jeffrey Millar Arroyo Grande
                                   California 93420
                   Atascadero California 93422
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                        Guadalupe California 93434
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        Henry Bruington San Luis Obispo California 93401
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        Diana Cavanaugh Napa California 94559
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        Mayra Concepcion San Luis Obispo California 93405
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        Molly Smith
                         Newport Coast
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        Thomas Whaley
                         San Luis Obispo California 93401
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67.
        Camille Zinn
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        Sam Silveira
        Cooper Schumann San Luis Obispo California ""
426.
427.
        chris herbst
                         cottage grove
                                          Oregon
                                                     97424
428.
        Mauri henderson arroyo grande
                                          California 93420
        GRACE NEHME
429.
                                    7248 Australia
430.
        Briana Weise
                         Arroyo Grande
                                          California 93420
431.
        ANN MONTOYA
                         chino California 91710
                              San Miguel California 93451
432.
        Richard Decater
433.
        patrick slagle Irvine
                                    California 92620
434.
        Elizabeth Schmidt
                              San Luis Obispo California 93401
435.
        April Chludzinski
                              Los Angeles
                                               California 90041
436.
        justin Armstrong Atascadero California 93422
437.
        Glenn Walton
                         San Miguel California 93451
                         San Luis Obispo California 93401
438.
        Kristen Keate
        Sequoia Seebach San Luis Obispo California 93401
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        Ashlynn Vann
                         Guadalupe California 93434
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        stephen gasch
                         Cayucos
                                    California 93430
        Cassandra King
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                         Santa Maria
                                          California 93455
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        sonia simmons
                         grove Oklahoma
                                          74344
444.
        Alexandrea Cini Atascadero California 93422
445.
        Angelique DePauwLos Osos
                                    California 93402
446.
        Mykel Wolf waukesha
                              Wisconsin 53188
        Angela Mueller orange
                                    California 92869
447.
        William Larson
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                         Santa Maria
                                          California 93454
449.
        Nick VanMeter
                         San Luis Obispo California 93401
450.
        kevin dirksen Santa Maria
                                        California 93454
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Los Osos
                                   California 93402
451.
        Elizabeth Gay
        Chelsea Baumberger
                              San Francisco
                                              California 94102
452.
        Lauren DeMates Auburn
                                   California 95603 Chile
453.
454.
        pat robinson
                        san luis obispo California 93405
        abraham slezak
                        san luis obispo California 93401
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        melodia szpyrka Pismo Beach
                                         California 93449
                        Vineburg California 95487
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        Anna Mariscal
                        Santa Maria
                                         California 93455
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        Mel Hickman
        zac adler San Luis Obispo California 93401
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        a sundt
                  so.sf California 94080
                        Grover Beach
                                         California 93433
461.
        Sam Stearns
                        Atascadero California 93422
462.
        Kory Oliveira
                        san luis obispo California 93403
463.
        Annie McNulty
                        Las Vegas Nevada
464.
        Rachel Ziemer
                                              89122
465.
        joseph hall jr baltimore Maryland
                                              21211
                              San Luis Obispo California 93401
466.
        Michael Grasseschi
                        San Luis Obispo California 93401
467.
        jessica moody
468.
        Tyler Cox Santa Maria
                                   California 93455
        Cassidy McSurdy san luis obispo California 93401
469.
470.
        Jim Helm Sacramento California 95816
        Jessica Holt
                        Fresno
                                   California 93727
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472.
        Anders Meisenheimer
                              San Luis Obispo California 93401
                        Grover Beach
                                         California 93433
473.
        Vinesà Wilson
                        San Luis Obispo California 93401
474.
        Amber Harwell
        Manny Velazco
                        San Luis Obispo California 93401
475.
                                         California 93444
                              Nipomo
476.
        Patricia Okerblom
        Trevor Dieterle San Luis Obispo California 93405
477.
        Kyle Miller
                        Winchester California 92596
478.
                              La Jolla
                                         California 92037
479.
        Jonathan Okerblom
                        San Luis Obispo California 93401
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        Dominic Bono
                                         California 94114
                        San Francisco
481.
        Gary Garrett
        sam Artho-Bentz San Luis Obispo California 93401
482.
                                   California 93455
483.
        dan blount Santa Maria
484.
        Hope Decker
                        San Mateo California 94403
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        Andrew Ecker
                        Morro Bay California 94332
        thomas ellis
                        Pismo Beach
                                         California 93449
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        Phaedra Reitzel Porterville
                                         California 93257
        Taylor Lee San Diego California 92129
488.
                                         California 93455
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        Lance Niccoli
                        Santa Maria
                                   California 93444
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        Nikole Conlee
                        Nipomo
        justin hortillosa
                           oceano
                                         California 93445
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        Angela Normanly Nipomo
                                   California 93444
        Brittney Conklin Nipomo
                                   California 93444
493.
                        Nipomo
494.
        Michael Byrd
                                   California 93444
                                   New York 11211
                        Brooklyn -
495.
        Melissa Kyle
        Carl Kunde San Luis Obispo California 93401
496.
                        pismo beach
                                         California 93449
497.
        travis silva
        jimmy powell
                        Nipomo
                                   California 93444
498.
                        la mirada California 90638
499.
        theodore phan
                                         1030 Austria
500.
        konstantin frankvienna
                                   California 93444
501.
        Jacqlynn Tidwell Nipomo
        takeshi kubota santa maria California 93454
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Atascadero California 93422
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        Olivia Meiia
                              California 93704
504.
        Sofia Rios Fresno
505.
        trevor mahin
                        San Luis Obispo California 93401
        adam sheehy
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                        nipomo
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        ed craine Mira Loma California 91752
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        jacob st james
                        Nipomo
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        Daniel Rodman
                         San Luis Obispo California 93401
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        Jeremy Rubin
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        Eva Hogue San Luis Obispo California 93401
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        Kartonio Hall
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        Lillian Garland Rossford
                                   Ohio 43460
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                        San Rafael California 94903
        James Stoker
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        Ralph Kilmann
                        Newport Coast
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                        Thornton Colorado 80241
        Sherry Malone
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        Andrew Cordoba
                        San Luis Obispo California 93401
                                         California 93306
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        Natasha Maltby
                        bakersfield
                                         California 93454
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        Cheyanne Whitmer Santa Maria
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                             San Luis Obispo California 93405
        Kristina Van Wert
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        Maxwell Hunt San Luis Obispo California 93401
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        Joni Rose Nipomo California 93444
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                                                         29845
        Gary DuTeau
                        Plum Branch, S.C.
                                              Georgia
        Zimbabwe
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        Danzel Maltby
                        Bakersfield
                                         California 93312
525.
        Angela Bowles
                        Atlanta
                                   Georgia
                                              30339
526.
        Betty Doughty
                        Keysville Georgia
                                              30216
527.
        Barbara Lord
                        Grovetown Georgia
                                              30813
528.
        Shirley Perry
                        Martinez
                                              30907
                                   Georgia
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        Gary Roberts
                        Syracuse
                                   New York
                                              13206
530.
                        California 93710
        c p Fresno
531.
        Kerry Glasser
                        Irmo South Carolina
                                              29063
532.
        brianna owens
                        pismo beach
                                         California 93448
533.
        julie maravillas Nipomo
                                  California 93444
534.
        brian caneda
                        north charleston South Carolina 29405
535.
        Amy Loyd Statesboro Georgia 30459
                                         California 93424
536.
        Krissy Flower
                        Avila beach
537.
                                California 93455
        may tambo Santa Maria
538.
        Dakota Cartmell Santa maria
                                       California 93454
539.
        Jesus Silva
                        Santa Maria
                                         California 93458
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                                         California 93420
        raissa zoff
                        Arroyo Grande
541.
                                 California 92782
        Christina Curto Tustin
542.
        kristina thompson
                             Santa Maria California 93455
543.
        Tori Porrazzo
                      Oceano
                                   California 93445
544.
        Marcus Velasquez Santa Maria
                                         California 93455
545.
        Merina Gomez
                        Orcutt
                                   California 93455
546.
        stephanie garnica
                           Santa Maria
                                              California 93454
547.
        Ryan Springer Carter paso robles
                                              California 93446
548.
        brooke wollam
                                       California 93454
                        santa maria
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        moses hernandez santa maria
                                         California 93458
550.
        Casey Thomas
                        Santa Maria
                                         California 93455
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        Johnathan Hayes Nipomo
                                   California 93444
552.
        Scott Gillson
                        San Luis Obispo California 93405
        priscilla ruedas Santa Maria California 93454
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        Christian Uhler San Luis Obispo California 93405
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        Jerusha Beebe
                         San Luis Obispo California 93405
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        Sharon Simpson
                         Santa Maria
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        Amber Wilbur
                         Arroyo Grande
                                          California 93420
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        Karla Haeberle
                         Los Osos
                                    California 93402
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        Carole Wagener
                         Santa Maria
                                          California 93454
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        erika roedl
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        Iain MacAdam
                         Cambria
                                     California 93428
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                                          California 93454
        Glenn Goodwin
                         santa maria
                         Arroyo Grande
                                          California 93420
563.
        Alyssa Adams
564.
        latrice jackson Las Vegas Nevada
                                                89115
        Rain Lewis san luis obispo California 93402
565.
                         San Luis Obispo California 93401
566.
        Ann Wellford
567.
        Socorro Herda
                         San Luis Obispo California 93401
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        Amanda Sanchez
                         Avila Beach
                                          California 93424
569.
        Virginia Schenk Grover Beach
                                          California 93433
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        Marcia Guthrie
                         Pismo Beach
                                          California 93449
                         San Luis Obispo California 93401
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        Sean Ellenson
                         San Luis Obispo California 93401
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        Kelly Foster
573.
        Todd Jarman
                         arroyo grande
                                          California 93420
        Parker Hayes
                                    California 94609
574.
                         Oakland
        Michael Okerblom Nipomo
                                     California 93444
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        Cynthia Halley
                         Los Osos
                                     California 91011
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        Cheryl Johnson
                         Altadena
                                     California 91001
578.
        Kenneth Scarbrough
                               Arroyo Grande
                                                California 93420
579.
        Andrew Gulbronson
                               San Luis Obispo California 93405
580.
        Mitch Houseman
                         grover beach
                                          California 93433
581.
        daniel fuentes
                         Arroyo Grande
                                          California 93420
582.
        David Williams
                         Atascadero California 93422
583.
        Eric Miller
                         Atascadero California 93422
                         Santa Maria
                                          California 93458
584.
        Carly Dahlager
585.
        olivia bell
                         california valley
                                                California 93453
586.
                   San Jose
                               California 95133
        Beini Qu
        tyler smallwood atascadero California 93422
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        Jonathon Nickols Santa Maria
                                          California 93458
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        Tristan Kuszmaul Atascadero California 93422
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                                     California 93637
        Joana Sandoval Madera
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        Rocio Mariscal-Rodriguez
                                     Santa Maria
                                                     California 93455
                                          California 92630
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        Ernesto Peimbert Lake Forest
593.
        benjamin speaker San Luis Obispo California 93401
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        Ginny Walton
                         Paso Robles
                                          California 93446
                         Arroyo Grande
                                          California 93420
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        Jordan Fluitt
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        Mandee Fletcher Atascadero California 93422
                               Paso Robles
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        Pastor Mariscal Jr.
                                                California 93446
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        Garett Hanlon
                         Paso Robles
                                          California 93446
599.
        Claire Guittard Atascadero California 93422
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        Sandra Marshall San Luis Obispo California 93405
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                         Arroyo Grande
                                          California 93420
        Yvonne Tang
602.
        Collin Bryan
                         Paso robles
                                          California 93446
603.
                         Northwood New Hampshire
        Lee Baldwin
                                                      03261
604.
        JacLynn Dabbs
                         Creedmoor North Carolina
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654.	Guinevere Chan	Los Angeles	California 90046
655.	Shannon Greene	Paso Robles	California 93446
656.	Joe Giral Ocean	o California	93445
657.	Steph alvarez	San Mateo Calif	ornia 94403
658.	J M Bluett Atasc	adero California	93422
659.		Atascadero Calif	
660.	micah jimenez	Grover Beach	California 93433
661.	Megan Souza	Cayucos Calif	ornia 93430
662.			California 93401
663.			California 93405
664.		Murrieta Calif	
665.	Stephanie Bailey	San Luis Obispo	California 93401

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605.
        Lucas Agostini
                         Atascadero California 93422
606.
        Hannah Ayhens
                         Atascadero California 93422
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        Jennifer fowler Santa Maria
                                          California 93455
608.
        Jesse Holder
                         Grover Beach
                                          California 93433
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        Peter Tomis
                         San Luis Obispo California 93401
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                         Pasadena
        Emily Nelson
                                    California 91101
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        E Farrington
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        Alexander Lindt San Luis Obispo California 93401
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        Bon Hall
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        Andrea Burks
                         Murrieta
                                     California 92562
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        Kave Maguire
                         Los Osos
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                               San Luis Obispo California 93405-1614
        Stephanie Terrazas
617.
        Rae Stilwell
                         santa maria
                                          California 93455
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        Art Guirnalda
                                          California 93301
                         Bakersfield
619.
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        Kristel Thyrring Halcyon
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        Victoria Ketchum San Francisco
                                          California 94132
621.
        Elizabeth Coughlin
                               San Luis obispo California 93401
622.
        Taylor Bonetti Monterey
                                     California 93940
623.
        Alexander Kalpakoff
                               mountain center California 92561
624.
        Jose Grajeda
                         San Miguel California 93451
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        Chelsea de Goede Arroyo Grande
                                          California 93420
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        Terrell Liedstrand
                               Berkeley
                                          California 94705
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        Sam Soleimany
                         Los Angeles
                                          California 90024
628.
        Brandon Gable
                         San Luis Obispo California 93401
629.
        Carver Cordes
                         Oakland
                                     California 94606
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        Erika Foronjy
                         Los Osos
                                     California 93402
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        Barbara Robinson Nipomo
                                     California 93444
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        Nicole & Doc anonymous
                                     arroyo grande
                                                      California 93420
633.
        Crystal Aumand
                         Castro Valley
                                          California 94546
                                    Texas 77515
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        Dennis Hale
                         Angleton
                                          California 95648
635.
        Mackenzie Cypriano
                               Lincoln
636.
        linda Seeley
                         San Luis Obispo California 93405
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        Loesha Bechthold GROVER BEACH
                                          California 93433
638.
        Laura Crandall
                         Santa Margarita California 93453
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        Derek Marin
                         Hacienda Heights California 91745
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        Danielle Cantu
                         Oceano
                                    California 93445
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        Shane Blume
                         Nipomo
                                    California 93444
642.
        John Poetker
                         Grover Beach
                                          California 93433
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                         san luis obispo California 93405
        Rachel Saalsaa
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        Isaac Wollman
                         San Luis Obispo California 93405
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        stephen seitz
                         Atascadero California 93422
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        Dan McGauley
                         Atascadero California 93422
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        Susan Kennedy
                         San Luis Obispo California 93401
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        BreeAnna McManus Nipomo
                                    California 93444
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                         Sacramento California 95835
        Sophia Otto
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        Laurie Edwards
                         Paso Robles
                                          California 93446
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        Michael Wollman San Luis Obispo California 93405
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        Jeremy Kastner san luis obispo California 93401
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                                    California 93433
        James Hunt Grover Beach
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PUBLIC COMMENTS

Felicia Ronquillo Guadalupe CA 93434 United States 2013-08-01 This is the only place where people can really forget about the harsh world and come here to be free of no thoughts and complications, and I speak for any one else that this place is a great place for swimming

K. Winter Arroyo Gande CA 93420 United States 2013-08-01
Beaches should be left alone. Development leads to
restrictions on personal freedoms and ruins pristine nature
spaces. I say no to development of any kind at this beach.

Alexis de Falla San Luis Obispo CA 93401 United States 2013-08-01 There is nothing more valuable than the remaining natural spaces in tact, free for people to enjoy. The proposed plans will attract unwanted foot traffic, alter the environment severely, and drive away wildlife, which part of the whole point of going!

Jospeh Buck clovis CA 93612 United States 2013-08-01 I have been regularly visiting this beach for almost 10 years. I would even fly to Fresno to drive to this beach when I lived in Seattle. There's no where else like it. I have made this trip with at least 20 different people at various points in time, and it has since become a regular destination for a majority of their families.

Megan O'Sullivan Mountain View CA 94043 United States

2013-08-01 I went to Cal Poly and Pirate's cove is my favorite beach. The environment it offers is unique and special and needs to be maintained. It was heartbreaking to hear that they wanted to develop it into basically what ever other beach in the county is. When I go to visit SLO (multiple times/year), Pirate's is the only place I absolutely need to visit. Please leave it alone and allow it to continue to provide the amazing escape it so eloquently does.

Charlotte LoPrete Tempe AZ 85281 United States 2013-08-01 beaches, as well as other public natural settings, need to be respected and maintained.

Kristine Lamar Grover Beach CA 93433 United States 2013-08-01 I grew up going. There and brought mt children also. It's sacred.

Rina Maynard Newport Beach CA 92660 United States 2013-08-01 This is the place to be! I take all my friends there every time they used to visit. Now that I have moved away I am not there as much but I would still love to be able and enjoy it there when I do visit. Its has that natural beauty. please do not turn it into some Newport Beach wanna be snotty development. Please keep it as it!!

Zazz McMeaty MeatMeat Los Osos CA 93402 United States 2013-08-01 Because this should have never even happened. Leave pirates alone. Not like slo county doesn't have enough parks or other beaches to mess with.

Robin Powell Santa Monica CA 90025 United States 2013-08-01 Every time I go up north, I stop here to spend good time with quality people in a serene quiet space.

James V Watson Jr Santa Barbara CA 93109 United States 2013-08-01 "I grew up in Atascadero, went to high school in SLO, and spent my youth visiting this beautiful rugged coastline. I still do, at least once a month or more. Developing this area and ""sterilizing"" it as such would be deplorable. Depriving future generations of the enjoyment of this wonderful area would be short-sighted at best. Re-open talks for ""no development at once, PLEASE!"

Ashley Gable San Luis Obispo CA 93401 United States 2013-08-01 We love this beach and want to preserve it's natural state.

scott kam san luis obispo CA 93401 United States 2013-08-01 We love this cove, leave it be!

Rebeka Levin San Luis Obispo CA 93401 United States 2013-08-01 I grew up going to Pirate's cove with my family and friends, and still head out there every time I come down to visit. It would sadden me greatly to see this changed, as it has been a community-managed, wonderful private little beach for those willing to make the trek. Please let it remain the hidden gem it is!!

Andrew Flores Concord CA 94518 United States 2013-08-01 It is our responsibility to keep places like this clean and available to be enjoyed by all.

Diane Lee San Luis Obispo CA 93405 United States 2013-08-01 It's a beautiful and peaceful place that doesn't need to be over crowded with tourists and trash.

Taylor Van Valkenburgh San Luis Obiso CA 93402 United States 2013-08-01 It is important that we preserve the small and unique areas that we have on the central coast that keep out locals happy and engaged in the land. Pirates Cove offers a get away, away from tourists that is still beautifully preserved by the people who use it every day.

monica calvo agua dulce CA 91390 United States 2013-08-01 Because my family lives in this beautiful area Stephen Henchy-Boyle San Luis Obispo CA 93401 United States 2013-08-02 Many cherished memories and experiences at Pirate's Cove were a signature part of my experienes and time spent living in the central coast. That these same possibilities would be kept from future generations lessens the cultural worth of our County.

zach smoot templeton CA 93465 United States 2013-08-02 personal freedom and responsibility and ecosystem preservation

Lauren Veach San Luis Obispo CA 93401 United States 2013-08-02 Commercialism and tourism could ruin this lovely little beach, which is the only clothing optional one in the county. I don't want it to become a tourist attraction.

Suzanne Thompson Citrus Heights CA 95621 United States 2013-08-02 "This is one of my favorite places to be! Do you have a place where you become one with the surrounding environment? Have you basked in the absence of mechanical noise? I am signing to preserve the natural for the present and the future, I want my children to always have beauty as unsullied by our carelessness as possible! I am signing because there's enough possession and too little protection, too much entitlement, too little appreciation. Do not change a delicate balance for money, let nature decide, please. Thank you.

Celeste Parkhurst Portland OR 97202 United States 2013-08-02 I've spent most of my life living in various parts of the California coast. Although I no longer live in California, the undeveloped beaches have always been my favorite thing and it saddens me to see them dwindle into nonexistence. Please keep some of the California coast undeveloped so future generations can experience it.

breanna sheppard Grover Beach CA 93433 United States 2013-08-02 i love pirates just the way it is! dont ruin it like you have started to do to the rest of our town!

Danielle Okerblom Tucson AZ 85716 United States 2013-08-02 This beach is the only beach where I can have my dog off leash and no body is afraid or threatens my dog. I clean up after her and people are accepting and peaceful. Lets keep it that way.

janice Ziomek arroyo grande CA 93420 United States 2013-08-02 this area is where i grew up and i would appreciate that it remains untouched!!!!

Adrienne Ratty San Luis Obispo CA 93401 United States 2013-08-02 The environment is amazing and natural. I love coming here as it reminds me what a beach should be, not completely manicured and surrounded by shops or rich fancy homes. Its the only beach

I feel free of these distractions.

cassidy herbst fort irwin CA 92310 United States 2013-08-02 because i used to live here and all beaches have been overly popular and it would be nice to have a beach that isnt a hotspot for parties and people

Sommer Shahan Atascadero CA 93422 United States 2013-08-02 This is a beautiful beach that should remain in its natural state, not ready to battle the crowds and parking there too!

93401 United States 2013-08-02 Todd Kent San Luis Obispo CA I have been a regular at Pirates Cove since 1987, and by regular I mean at least 3 days a week I enjoy this beach and sometimes 7 days a week. I am a local, tax-paying, home owning and voting local born at Sierra Vista hospital and have lived here and will live here my entire life. This beach is a rare gem, not only on the central coast, but in the entire state of California. We, the locals, the voters, do not want more concrete and street light and stair cases. We just want our beach the way it is. The way it has been since the Chumash Indians enjoyed it, since their predecessors enjoyed it. Once it's paved it can never return to its natural beautiful form. Don't build a concrete dinosaur to lure in tourists. The tourists like it the way it is also. I've met thousands of them over the years. Do something that would really help the residents of this county, Board of Supervisors: get the polluting gas machines off the dunes. Leave our beach alone. Please. I vote and I'm very loud.

Hailey Jones Santa Maria CA 93458 United States 2013-08-02 PIrates is a beautiful and well maintained area as it is, govt assistance is not needed and will just ruin this land like the rest of the beaches have been ruined on the central coast.

Judith Levin Oceanside CA 92057 United States 2013-08-02
This is one of the ONLY beautiful untouched remaining
natural areas of the coastline/beach. Do we REALLY need another
development!

Juan Orellana Miami Beach FL 33141 United States 2013-08-02 I have family in the area, and I lived there.

Layne Neilson San Luis Obispo CA 93501 United States 2013-08-02 Love the area exactly how it is now...and that is how it should always stay.

Christopher-Robin Wilson Arroyo Grande CA 93420 United States 2013-08-02 Retain the natural beauty of this local treasure!

Jamie Combs Clovis CA 93611 United States 2013-08-02

Because nature should be preserved. We as humans need to share the earth not use it as we see fit.

Stacie Highland Orange CA 92869 United States 2013-08-02
Sacred Indian grounds. Enjoyed by many, would never be the same place if you develop it. I have many memories there from when I lived there, I would be heartbroken if it was developed.

Travis Massa nipomo CA 93444 United States 2013-08-02 it is preferable to preserve the natural state of the environment for public use to attempting to profit privately from what belongs to everyone.

Michael Johnson San Luis Obispo CA 93405 United States 2013-08-02 There are thousands of beaches in California for those who prefer to wear clothes. And only a handful for those who choose not to wear clothes. Allow us to keep this beach clothing optional as it has always been.

Christopher Divelbiss Fresno CA 93726 United States 2013-08-02 I go here frequently and it would sadden me greatly for it to be closed off behind fences for only those wealthy enough to go to a resort to enjoy.

Michael Souza San Luis Obispo CA 93406 United States 2013-08-02 This is a unique spot. It is important to as a born and raised local to keep it the way it has always been

Holly Hetherington Grover Beach CA 93433 United States 2013-08-02 There are SO many developed tourists area's in this county. Undeveloped, pristine land is rare and we need to protect it. What's left of it.

Sandra Freeman San Luis Obispo CA 93401 United States 2013-08-02 I was born here, as was my grandfather, mother, daughter and grandchildren. We have all enjoyed Cave Landing and Pirate's Cove and now you want to change that. Keep this open, keep it as UNDEVELOPED wilderness. The last thing this county needs is another development of homes, condos, luxury hotels or parks. Are you really that greedy? If so, I'll be sure to change ALL my votes for the County Supervisors from now on!

Luis Perez Fresno CA 93703 United States 2013-08-02 Keep the Cove as nature made it.

Jason McKenzie Fort Worth TX 76179 United States 2013-08-02 There is a need for undeveloped land especially a place like this.

Sabrina Hill Fresno CA 93725 United States 2013-08-02 It's a beautiful place to visit during vacations.

Beth Gilbert Belfast "" United Kingdom 2013-08-02

The government needs to quit wrecking nature just for more buildings we don't even need. The world is going to end up with no wild places left if this keeps going. STOP.

Andrea Kwan 伯克利CA United States2013-08-02 I've never been, but i can't bear to see such a beautiful beach turn into something industrial and ugly

Allan Dick Grover Beach CA 93433 United States2013-08-02 Don't overcontrol everything!

Lacye Winkelpleck Fort Bragg CA 95437 United States2013-08-02 I have grown up going to this beach! It's one of the most special places in the area. Locals need it, and tourists need it to to feel like they've found a private, special little place. Please leave it alone!

Anke Fischer "" 80469 Germany 2013-08-02 i studied in slo in 1990 and i went to that place a lot. it would be a shame if it would change and become a developed place. it is a nice thing that wilderness can and should be found. pls leave pirate's cove what it is - a nice and peacefull place.

Tim Barnes Austin TX 78701 United States 2013-08-02 I am a past resident and frequent visitor of San Luis Obispo county. I believe this undeveloped area is an asset to the community.

Brady Dawson Boise ID 83713 United States2013-08-02 I grew up in Shell Beach. We always went to Pirates Cove. It should remain untouched. We need more nature not more big corporation resorts.

Aubrie Hilstein San Luis Obispo CA 93401 United States2013-08-02 This beach is so beautiful, why would we change it?1

Terez AutrandSan Luis Obispo CA 93405 United States2013-08-02 I grew up in San Luis Obispo.

April Beach Erie CO 80516 United States 2013-08-02 This is where I grew up. Please preserve this.

Gina MartinezFayetteville NC 28311 United States2013-08-02 I am a combat veteran from Pismo Beach. Cave Landing/Pirate;'s Cove is one of the places I enjoy visiting every time I come home. Please don't take this away to build a real estate monstrosity. Please build elsewhere.

Robert Anderson Arroyo GrandeCA United States2013-08-02
Because I frequently vivit this beach to fish, kayak, or just to spend some quality time with nature... people always pick up there trash and there has never been any problems before.

Tim O'Neill Cambria CA 93428 United States2013-08-02 ACCESS TO THE RIDGE IS VERY IMPORTANT AND AN ASSET TO THE AREA.

lauren schlosser coarsegold CA 93614 United States2013-08-02 this is a home away from home!

Christopher Sanchez Santa Maria CA 93454 United States2013-08-02 I've been going to Pirates and appreciating it's beauty since my friends and I were old enough to drive. DON, T destroy this beautiful place!

Stephen Johnson Arroyo GrandeCA 93421 United States2013-08-02
Pirate's Cove is the last unspoiled beach on the central coast. The people who love it keep it clean and beautiful in a way that development will destroy forever.

Abram Perlstein Los Osos CA 93402 United States2013-08-02 Cave Landing and Pirates Cove is a rare gem in the rough. Keep it undeveloped. Period.

Garrett Mallory Atascadero CA 93422 United States2013-08-02 I grew up in Slo county, and have been going to the Cave/pirates cove since I was 18,,,,let's keep it Undeveloped, Free and Open!!!! neila denneenArroyo GrandeCA 93420 United States2013-08-02 Less

Rick Augenstein Olga WA 98279 United States2013-08-02 I grew up on the central coast and Pirates is the best beach around. I have so many fond memories of the place and I return yearly.

Lenora Jones Pine Bluff AR 71603 United States 2013-08-02 Born and raised in that area. It is so beautiful.

Nick JohnstonPhoenix AZ 85032 United States2013-08-02 The constant drumbeat of development has to stop somewhere. Wild and beautiful for ALL not manicured and expensive for a few.

Christopher Paz Santa Maria CA 93454 United States2013-08-02 I really enjoy the wilderness and although pirates cove isn't exactly that I would not want to see it become anymore developed than it already is. We have so many resorts and homes and almost no wilderness that is available to the

public. I would like to see a slight reversal of these figures.

Kristen Roudebush San Luis Obispo CA 93401 United States2013-08-02
I love to hike and lay at the beach here. Maintaining the areas natural beauty is something that the central coast can pride its self on and keeps it from become simply an extension of southern California delopment.

Charles GalanMIAMI FL 33186 United States2013-08-02 I once visited this beautiful reserve approx 6 months ago. My friends whom live in the area treasure this place as I now do in my heart.

Christian Straight Palo Alto CA 94306 United States2013-08-02 one of the few places left that remains untouched by commercial growth...what's happening to my beloved Central Coast childhood home?

Christopher Petro Pismo Beac CA 93449 United States2013-08-02 I visit this beach all the time and I'm a HUGE advocate for the promotion, conservation and creation of public lands. We must preserve our public open spaces. Places like this MUST be preserved for the future and not simply exploited and closed for rich. Public land belongs to all of us and this spot must be dedicated and endowed to the public good for all time.

Aaron Cribbs Santa Maria CA 93455 United States2013-08-02 Preserve places like this for the public!!!
jeff biafore campbell CA 95008 United States2013-08-02 SLO county is a special place. It has treasures that need to be preserved so that generations can discover it and fall in love with it like I did.

Timothy Beckwithg San Luis Obispo CA 93406 United States2013-08-02
I have bee going to this treasure place since 1962. Please let it be one the only free and undeveloped beaches on the Central Coast!

Lewis Call San Luis Obispo CA 93407 United States 2013-08-02 It is the most beautiful beach I know. The California Coastal Act requires us to preserve Pirate's Cove, and so does ethics.

James PardiniSanta Maria CA 93455 United States2013-08-02 Why wouldn't the last refuge of private, undeveloped beach not be important? You would spend money, then keep on spending money to maintain it. If the road gets washed out, you would close the beach due to 'Lack of funding.' KEEP IT FREE. KEEP IT OPEN. AND LASTLY KEEP IT UNDEVELOPED. FOR THE SAKE OF SANITY.

R. M. Oceano CA 93445 United States 2013-08-02 I'd rather see our county

take care of the poor than develop more land for the rich.

Brenda Wainscott San Luis Obispo CA 93405 United States2013-08-02 some places were meant to remain free to the locals..we have few places left in this county that are natural and historic..and that don't cost to enjoy.

adam henriques tahoe city CA 96145 United States2013-08-02 Open spaces are vial to the longevity of our collective human soul, for the preservation of recreational opportunities, for the preservation of biodiversity, and for aesthetic appeal. Preserve the only part of this beautiful coast left unadulterated by the exploitations of man

Dan Williams Orcutt CA 93454 United States 2013-08-02 Because people ruin everything. We're destroying the planet and if it's possible to save a spot like this, then it's important to me.

Andrew MillerGrover Beach CA 93433 United States 2013-08-02 This is a great, pure natural landscape and development would be a huge detraction and invasion of the landscape!!

Nataliya McElroy Grover Beach CA 93433 United States2013-08-02 I want the natural beauty of Pirates Cove kept untarnished by commercial and residential development!

Nikita KozlovPortland OR 97212 United States2013-08-02 I lived in SLO while a student at Cal Poly. I believe that developing on this land would be very detrimental to the surrounding environment.

David Standish San Luis Obispo CA 93405 United States2013-08-02
This beautiful small stretch of coast line must remain undeveloped and open to the public.

alexis ramirez Santa Maria CA 93454 United States2013-08-02 cause i always go and swim there and its a site i go to travel

Matt McElearney San Luis Obispo CA 93405 United States2013-08-02 I like Pirate's Cove just as it is!

Salvador Villanueva San Luis Obispo CA 93401 United States2013-08-02 Pirates Cove area is beautiful.

ali hernandezsan luis obispo CA 93420 United States2013-08-02 don't develop what's already our home

Jamin Horn Oakland CA 94609 United States 2013-08-02 Because open space, especially coastal California space is rare and needs to be protected and access increased.

Benny Keele salt lake city UT 84106 United States2013-08-02 spent a lot of time here as a kid in the 70-80's

Enrique Hernandez Arroyo GrandeCA 93420 United States2013-08-02 let it be

Johnathan Felch San Luis Obispo CA 93401 United States2013-08-02 I love this place and have been going there for over 25 years

Megan Mastache San Luis Obispo CA 93401 United States2013-08-02

I have been going to Pirate's Cove & the Cave Landing since I was a
freshman at Cal Poly a decade ago. I love this special place. I love that you
have to hike down with your bags on your back, its not easy to access like
Pismo & Avila... keep Pirate's unique. I don't live in LA for a reason. Our
beaches are special!

nate trevino san luis obispo CA 93401 United States2013-08-03

Pirates needs to stay the same the animals are precios and it would ruin the vibe.

Brandon Moon San Diego CA 92122 United States2013-08-03 Because with all the cities and streets these days, we need to preserve as much wildlife as possible to maintain our sanity and the beauty of our mother Earth!

Brandon AlvesChico CA 95926 United States2013-08-03 I spent two years of my life in SLO and I visit regularly. I would hate to see development ruin the serine destination. It would ruin the place!

PAULA Smith Arroyo GrandeCA 93420 United States2013-08-03 I HAVE LIVED HERE ALL MY LIFE AND LOVE THIS BEACH JUST THE WAY IT IS. WE SHOULD PROTECT IT

melissa catalli elmira OR 97437 United States 2013-08-03 this place is part of my soul!

harrison wongAlhambra CA 91801 United States2013-08-03 my college is located near to this location

Ashley Armstrong Flagstaff AZ 86001 United States 2013-08-03 This

has been my favorite place since I was little. I have introduced this place to many people from across this country. It is beautiful and rare and we need to keep this beautiful spot open to the public.

Ben Parsons Los Osos CA 93402 United States2013-08-03 This beach serves not only as a beautiful coastal landmark, but as an homage to human free expression. There are fewer and fewer places like this left in the world, and I think it's a shame to see expression and beauty come under the heavy hand of urbanization.

Kellymarie Otto Paso Robles CA 93446 United States2013-08-03 Grew up around there. It's a landmark!

chris herbst cottage groveOR 97424 United States2013-08-03 I just moved away from the Pismo beach area but visit often. in my 15 years of living there I spent lots of time in that area because it was still a undeveloped wilderness. I would hate to see the last undeveloped area become like all the rest

Mauri Henderson Nipomo CA 93444 United States2013-08-03 This beach is such a key part of my life, it's the one place the locals have left. let it stay FREE!!!!

Briana Weise Arroyo GrandeCA 93420 United States2013-08-03 This is the most beautiful place on the central coast, and it sickens me to think that people want to pollute its natural wonder in attempt to make it like every other overdeveloped beach. Pirate's Cove is a treasure, cherished by many of us for countless years, and we need to do all that we can to stop people from destroying it.

Glenn Walton San Miguel CA 93451 United States 2013-08-03 This area has been free to the public for as long as I can remember and I have been in the county since 1957. It needs to remain a free and accessible area.

Sequoia Seebach San Luis Obispo CA 93401 United States2013-08-03 visit priates weekly... i would ate to see it overtaken. let me know if there is anything i could do, it would truely break my heart Cassandra King Santa Maria CA 93455 United States2013-08-03 I think so much of our natural areas have been ruined its so nice to see a place still untouched and think it should stay this way! I visit this place myself a lot!

sonia simmonsgrove OK 74344 United States2013-08-03 I grew up there in

arroyo and grover it is a beautiful beach and it should not be developed it should be left the way it is. We do visit there still the area is beatiful would not be as nice to visit if it is to developed

Mykel Wolf waukesha WI 53188 United States2013-08-03 the expanse of the human race is astounding. Dependence on coastal vegetation and animal life is crucial. Our disregard for the natural balance is unnerving and disrespectful. please save some cool places for nature to exist.

kevin dirksenSanta Maria CA 93454 United States2013-08-03 Pirates cove is fine the way it is.

Chelsea Baumberger San FranciscoCA 94102 United States2013-08-03 It is important to preserve pirates natural beauty. Once developed it would be impossible for that land to return to its former majesty. Do not develop!

Maintain SLOs natural essence and history. That beach is an oasis.

jessica moodySan Luis Obispo CA 93401 United States2013-08-03

"Pirates is my home

Jessica Holt Fresno CA 93727 United States 2013-08-03 I love this area and want it to remain undeveloped

Amber HarwellSan Luis Obispo CA 93401 United States2013-08-03 keep pirate's free!

Patricia Okerblom Nipomo CA 93444 United States2013-08-03 I have been going to pirates to find peace for years. I will not allow our only undeveloped land to become part of the worlds construction zone!

Jonathan Okerblom La Jolla CA 92037 United States2013-08-03

Because undeveloped wilderness is precious in the central coast and it's truly one of our greatest treasures.

Gary Garrett San FranciscoCA 94114 United States2013-08-03 I visit Pirates Cove about once a month. I travel from SF, stay in the area, and spend several hundred dollars on food and lodging. I'm interested because I love this place exactly as it is.

Hope Decker San Luis Obispo CA 93405 United States2013-08-04 This site is extremely important. It gives the locals and tourists a taste of unspoiled San Luis Obispo coastal land. We need to protect this wilderness! travis silva pismo beach CA 93449 United States2013-08-04 i go to this beach all the time its perfect the way it is and needs no changes. there is

plenty of beach all up and down the central coast why build something in a spot that already brings people to its shores with a resort? go build something some where else.

jimmy powell Nipomo CA 93444 United States 2013-08-04 Because pirates cove is awe some and should be able to be enjoyed by everyone.

takeshi kubota santa maria CA 93454 United States2013-08-04 """You think you own whatever land you land on
The Earth is just a dead thing you can claim
But I know every rock and tree and creature
Has a life, has a spirit, has a name""

takeshi kubota santa maria CA 93454 United States2013-08-04 "You think you own whatever land you land on
The Earth is just a dead thing you can claim
But I know every rock and tree and creature
Has a life, has a spirit, has a name

adam sheehy nipomo CA 934444 United States 2013-08-04 this beach is important because it is the one place where locals can hang out without tourist destroying the beach
Kartonio HallArroyo Grande CA 93420 United States 2013-08-04 I want the beach to maintain its privacy and it worries me watching as each new land is systematically covered and paved in grey concrete. Pirates cove is special BECAUSE it is undeveloped. Don't turn it into another generic tourist beach.
Lillian Garland Sturgis KY 42460 United States 2013-08-04
Because I care.!!!!

James Stoker San Rafael CA 94903 United States2013-08-04 This is a Beautiful Beach, and should REMAIN SO !!!

Ralph KilmannNewport CoastCA 92657 United States2013-08-04 This stretch of land is beautiful and priceless. It should not be given away for another purpose

Molly Smith Newport CoastCA 92657 2013-08-04 "I visit the Central Coast about 15-20 times a year.

I come to the Central Coast BECAUSE of Pirate's Cove
The wild surroundings and the beach at the Cove gives me a spiritual peace.

It's a special slice of land that should be kept in it's original state for

all to enjoy at any time, day or night.

Sherry MaloneThornton CO 80241 United States2013-08-04 I believe natural spaces are important to every human because they reveal God's creative power.

Cheyanne Whitmer Santa Maria CA 93454 United States 2013-08-04 To preserve the land and species that occupy it.

Maxwell Hunt San Luis Obispo CA 93401 United States 2013-08-04 I walk that trail to work often. Beautiful area. I would hate to see it turn to homes for the 1%, they have enough of this county as it is.

Gary DuTeau Plum Branch, S.C. GA 29845 Zimbabwe 2013-08-04 We need more wilderness that is historic as well...please help save it. Once a McDonald's and Starbucks arrive, then there will be gangs and real pirates...

Shirley PerryMartinez GA 30907 United States2013-08-04 "Maintain natural preservation of land. Say NO to more developing.

Gary Roberts Syracuse NY 13206 United States2013-08-04 If unspoiled, naturally beautiful places are not preserved when threatened, they will be at risk of being lost forever.

brianna owenspismo beach CA 93448 United States2013-08-04 This is a beautiful place that needs to remain undeveloped and open to all to enjoy!

julie maravillas Nipomo CA 93444 United States 2013-08-04 What wilderness we have left needs to remain wilderness.

Tori PorrazzoOceano CA 93445 United States2013-08-04 I hate seeing such natural beauty go just so we have more luxuries. I believe we need to keep some of California's natural beauty

Ryan Springer Carter paso robles CA 93446 United States 2013-08-04 Pirates is the most beautiful secluded cove on the central coast!

Casey Thomas Santa Maria CA 93455 United States2013-08-04 Pirates is an amazing place with beautiful scenery I believe it should be left open for future generations to experience it's great spot along our coast

Carole Wagener Santa Maria CA 93454 United States2013-08-05 Let's leave it in it's natural state.

latrice jackson Las Vegas NV 89115 United States 2013-08-05 I grew up going camping and family summer vacations and it is not the same when I take my children because of all the changes in the environment.

Rain Lewis san luis obispo CA 93402 United States 2013-08-05 iv loved this beach ever since i was in diapers,

Kelly Foster San Luis Obispo CA 93401 United States2013-08-05 Changing this beach would be so so sad. It is treasured and cared for by those who love it.

Parker Hayes Oakland CA 94609 United States2013-08-05 Before I moved to Oakland for school I used to go to Pirate's all the time with my friends and just relax under the sun. I still go back every time I'm in town to visit. I'd hate to see it all gone.

Michael Okerblom Nipomo CA 93444 United States 2013-08-05 My friends and family have historically used this site since we were kids and it is important to them that it remains wild.

Cynthia Halley Los Osos CA 91011 United States 2013-08-05 It's areas like this that make the central coast one of the best places to live. The Central coast is such a desirable vacation destination BECAUSE of its wonderful untouched atmosphere and its many small towns with all their charming qualities. Please keep big resorts out! Much of the area is supported by tourism - but the tourists come because of the way the area is right now. Please don't try to fix something that's not broken!

Cheryl Johnson Altadena CA 91001 United States2013-08-05 Areas that are undeveloped and truly wild are few and far between, especially along the coasts. To the people that visit them, they serve as an important reminder of what the world looks like free from too much human disturbance, and as such, need and deserve to be protected.

Kenneth Scarbrough Arroyo GrandeCA 93420 United States2013-08-05 Real tire of speculators and land developers ruining the beautiful coast line I have been enjoying for the last 42 years.

David Williams Atascadero CA 93422 United States2013-08-05 It is one of the few remaining places in the immediate area that I can take friends or family who aren't from our county and show them the ocean while staying out of someone's yard. Development of the area does not benefit anyone, it is a

waste of money. People come from all around to this specific spot because it is not tarnished by a bunch of concrete and other man-made structures.

Eric Miller Atascadero CA 93422 United States2013-08-05 Why would anyone want to destroy a beautiful beach and replace it with cheap condos?

olivia bell california valley CA 93453 United States 2013-08-06 This beach is an important and historical spot for alot of locals and it would be a travisty to ruin it with modern CRAP.

Tristan Kuszmaul Atascadero CA 93422 United States2013-08-06 the development of pirate's cove would ruin the pristine beauty of the area

Ginny Walton Paso Robles CA 93446 United States 2013-08-06 It provides a place of solace and natural beauty that hasn't yet been corrupted by our ignorant government.

Yvonne Tang Arroyo GrandeCA 93420 United States2013-08-06 This is a singularly unique area and attraction for our community.

Lee Baldwin Northwood NH 03261 United States2013-08-06 "the country has too much development, especially along the coasts. a ""wild"", natural beach area is far more appealing to me than a developed strip. Mty tourist dollars would go elsewhere were this beach to become just another piece of commercial blandness."

Lucas Agostini Atascadero CA 93422 United States2013-08-06 this is a beautiful area people come from all around to enjoy already. this is one of the only pieces of coastline that i know of that isnt a park, private property or restricted in one way or another. it's beauty would only be damaged by concrete and an overflow of people

Alex Lindt San Luis Obispo CA 93401 United States2013-08-07 Cave Landing + Pirate's Cove is an important piece of the county's culture. It represents not only a great piece of undisturbed natural beauty, but also a place of freedom and expression for the community. By formalizing the use of pirate's cove it simply becomes another Avila, Port Slo, or Pismo beach. The area is not lacking in formalized beaches, and by doing so the county will effectively destroy a culturally rich environment.

Bon Hall Grover Beach CA 93433 United States2013-08-07 Where we live is so beautiful!

Rae Stilwell santa maria CA 93455 United States 2013-08-07 I've spent many many days here with my children and

friends... I would love to see future generations have the same wonderful experiences we did!!

Victoria Ketchum San Francisco CA 94132 United States 2013-08-07 "Throughout my college years in San Luis Obispo and during my frequent visits to the central coast I spent many hours enjoying the natural beauty, serenity, and perfect climate of Cave Landing/Pirates Cove, and would be extremely saddened to see this beautiful asset ""developed"" into another cookie cutter beach resort or unused public park. The frequent beachgoers and hikers more than sufficiently undertake the responsibility to clean and maintain the passages and beach—in fact, Pirates Cove is the cleanest beach I have ever visited. Please do not change this peaceful place. "

Alexander Kalpakoff mountain center CA 92561 United States 2013-08-07 i lived there when i was a child and i am moving back i a short time. this landmark holds so many amazing memories and i feel that leaving it undeveloped and the way it is would be the best course of action. please do not take this amazing place away from the people who love it.

Terrell Liedstrand Berkeley CA 94705 United States 2013-08-07 It's nature. Please leave it be. Condos means plumbing and waste and trash and congestion. Humans have done this for socoo long. Destroying their beautiful habitats for their own benefit and poorly conceived comfort. Find comfort in Pirate Coves natural beauty. Let that benefit us all. I'm not a local. But the times I've spent at Pirate's are wonderful memories for me. I would be so disappointed to return to a horizon of infrastructure instead if beautiful plant life, land forms and sunsets over our great ocean.

Sam Soleimany Los Angeles CA 90024 United States 2013-08-07 This little pocket of cove should remain as freely accessible as it was for my generation, those before and those after. I can't see any legitimate basis for changing the scope of public access to the cove.

Carver Cordes Oakland CA 94606 United States 2013-08-07
This area should be preserved in its natural state and with the public access it currently enjoys.

Barbara Robinson Nipomo CA 93444 United States 2013-08-07
This is our coastline our wilderness and if people tear it up it can never be restored to it's original beauty...leave our California Coast alone for God sakes....

Nicole & Doc anonymous arroyo grande CA 93420 United States 2013-08-07 Why change something that is so beautiful to begin with? Leave it be because a lot of people have wonderful memories and come back there time after time for years because of

the preservation of this one of a kind central coast location. Nothing compares to the beauty and natural state this cove has.

Crystal Aumand Castro Valley CA 94546 United States 2013-08-07 Love this place and want to keep it wild!

Dennis Hale Angleton TX 77515 United States 2013-08-07
Over time, we have developed and terra-formed everything the earth once was into something convenient for ourselves. This area stands testament to originality, and I would rather be inspired by its natural beauty then just view another apartment complex or walmart.

Derek Marin Hacienda Heights CA 91745 United States 2013-08-07 The cliffs and land above Cave Landing, and in particular Pirate's Cove are geologically unstable and prone to land slides and cliff calving. Developing this area would be dangerous.

Shane Blume Nipomo CA 93444 United States 2013-08-07
We have over developed SLO county, with the ever increasing population. Rarely do we see anything that is natural, and altered by humanity. Fight to keep one of our last remaining undeveloped wilderness areas, just that, undeveloped!

BreeAnna McManus Nipomo CA 934444 United States 2013-08-07 I love this natural beach. I love that it is clothing optional, too!

Jeremy Kastner san luis obispo CA 93401 United States 2013-08-07 Pirate's Cove is SACRED to me.

Megan Souza Cayucos CA 93430 United States 2013-08-07
I been going to this beach since I was a child and it has
remained my favorite spot in the county for the 27 years I have
lived in SLO. Please, PLEASE, do not add stairs or diminish the
parking lot! Also, it would be AWFUL to see this beautiful,
isolated cove dwarfed by a 100 acre resort--ew!
Megan McCurley Murrieta CA 92562 United States 2013-08-07

Its one of the only places that has not changed since i was a baby. Used to go there and sit on the rocks with my mom to watch the waves splash on to the rocks. So many childhood memories it would be heartbreaking to see it changed.



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

August 8, 2013

Friends of Pirates Cove Attn: Sean Shealy 522 Corralitos Road Arroyo Grande, CA 93420

County of SLO_General Services Attn: Elizabeth Kavanaugh & Ryan Hostetter (P&B) INTEROFFICE

SUBJECT:

APPEAL OF COUNTY OF SLO_GENERAL SERVICES (CAVE LANDING -PIRATES COVE)
COUNTY FILE NUMBER: DRC2011-00069

HEARING DATE: JULY 25, 2013 / PLANNING COMMISSION

We have received an appeal on the above referenced matter. In accordance with County Real Property Division Ordinance Section 21.04.020, County Land Use Ordinance Section 22.70.050, and Section 23.01.042 of the Coastal Zone Land Use Ordinance, the matter will be scheduled for public hearing before the County Board of Supervisors. A copy of the appeal is attached.

The public hearing will be held in the Board of Supervisors' Chambers, County Government Center, San Luis Obispo. As soon as we get a firm hearing date and the public notice goes out, you will receive a copy of the notice.

Please feel free to telephone me at 781-5718 if you have any questions.

Sincerely,

Micole Retana, Secretary
County Planning Department

cc: Ryan Hostetter, Project Manager & Elizabeth Kavanaugh, Parks & Rec. Project Manager Steve McMasters, Supervisor Jim Orton, County Counsel & Whitney McDonald, County Counsel

976 Osos Street, Room 300

SAN LUIS OBISPO

CALIFORNIA 93408

(805) 781-5600

EMAIL: planning@co.slo.ca.us

FAX: (805) 781-1242

WEBSITE: http://www.sloplanning.org

MEMORANDUM

DATE:

August 8, 2013

TO:

JIM ORTON, COUNTY COUNSEL & WHITNEY McDONALD, COUNTY COUNSEL

FROM:

NICOLE RETANA, PLANNING and BUILDING DEPARTMENT

RF.

APPEAL OF COUNTY OF SLO-GENERAL SERVICES (CAVE LANDING - PIRATES COVE)

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COUNTY FILE NUMBER: DRC2011-00069 PLANNING COMMISSION – JULY 25, 2013

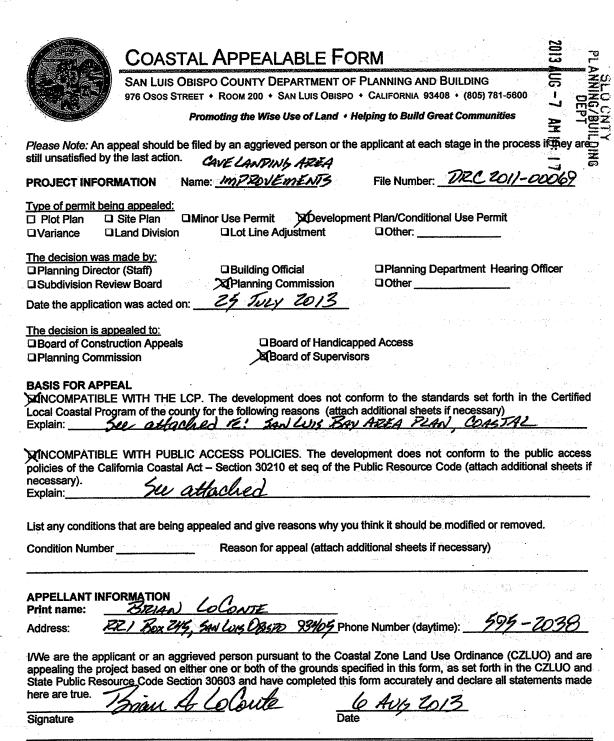
Please find attached copies of associated correspondence which have been forwarded to the Project Manager and Supervisor.

#871(1

PAGE 2 OF 3

JULY 1, 2010

PLANNING@CO.SLO.CA.US



Receipt No. (if applicable):

OFFICE USE ONLY Date Received: ____

SAN LUIS OBISPO COUNTY PLANNING & BUILDING

Amount Paid: _____
COASTAL APPEAL FORM

SLOPLANNING.ORG



COASTAL APPEAL FORM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING 976 OSOS STREET + ROOM 200 + SAN LUIS OBISPO + CALIFORNIA 93408 + (805) 781-5600

Pro	moting the Wise Use of Land	· Helping to Build Great	Communities
Please Note: An appeal should be file still unsatisfied by the last action.	d by an aggrieved person or	the applicant at each st	age in the process if they are
PROJECT INFORMATION Name	e: IMPROVEMENTS	File Number:	PRC 2011-00069
Type of permit being appealed: ☐ Plot Plan ☐ Site Plan ☐ Min	nor Use Permit Develop	oment Plan/Conditional	Use Permit
□Variance □Land Division	□Lot Line Adjustment	□Other:	ing the state of t
The decision was made by: Planning Director (Staff)	☐ Building Official	☐Planning Depa	rtment Hearing Officer
☐ Subdivision Review Board Date the application was acted on:	APlanning Commission 25 Truy 2013	□Other	
The decision is appealed to: ☐Board of Construction Appeals	☐Board of Handid	apped Access	
□ Planning Commission	Board of Superv	risors	and the second second
State the basis of the appeal. Clearl note specific code name and sections	y state the reasons for the a disputed). (Attach additional	ppeal. In the case of a sheets if necessary)	a Construction Code Appeal,
	SEE ATTACHED		
List any conditions that are being apperent the condition Number			
APPELLANT INFORMATION Print name: 38140 4	CONTE	ing sa	
Address: 1212 / Box 2	44, SAN LUIS OBIST	0,04 93409	
Phone Number (daytime):	- 2038		-
We have completed this form accurate Signature	<u></u>	made here are true. Lo AVC2 (2013) ate	
OFFICE USE ONLY Date Received:		a an	
Amount Paid:		(if applicable):	en de la companya de La companya de la co
COASTAL APPEAL FORM SAN LUIS OBISPO COUNTY PLANNING & BUILD SLOPLANNING.ORG	ING		PAGE 3 OF 3 JULY 1, 2010 PLANNING@CO.SLO.CA.US

6 AUG 2013

Subject: CAVE LANDING AREA IMPROVEMENTS (DRC 2011-00069)

The intended course of actions by SLO Parks & Recreations Department, for development of the Cave Landing area, historically also called Mallagh's Landing, as approved by the Planning Commission (25JULY2013) should not be allowed to proceed in its current form.

Specific Items that warrant appeal of this project:

- 1) This project is occurring en total, within District #3. The District #3 Commissioner had been appointed two days prior to the Planning Commission Meeting. He therefore reclused himself since he hadn't been party to previous discussions, and abstained from a vote in the decision. Further discussion and subsequent decision should have been continued to a future Planning Commission Meeting at which time he could adequately represent District #3's residents by casting a vote in that decision.
- 2) This project is NOT in conformance with the SLO Co., San Luis Bay Area Plan, Coastal Plan (dated March 1, 1988, Certified by California Coastal Commission February 25, 1988, Revised August 2009, Page 8-6, item 7. Shoreline Access Mallagh Landing). Two items in particular:
 - a. "Parking area for 100 cars is to be improved."

Fran A Colonte

- b. "The parking area is to be surfaced with a permeable material to control bluff erosion."
- 3) Any infrastructure installed at the base of the beach access trail WILL be damaged. While its installation will temporarily "improve" coastal access, it also has the real and eminent potential to cause "closure" due to safety requirements, resulting in an unintended "decrease" in coastal access.
- 4) The Commission made its decision, in part, based upon Staff's and County Council's input and response to Commissioners' questions. There were a few responses by staff personnel that were ambiguous in nature. I believe those comments were misconstrued by the Commission, and were key in their final vote regarding approval. In general, they regarded liability and project funding. Therefore, this decision should be revoked such that clarification and definitive answers regarding those elements can be made known to them.

Each item is appealable in its own right; however, when taken in whole, they essentially compel revocation of the Planning Commission's 25JULY2013 decision to allow this project to proceed in its current form.

I will provide expanded discussions for each item in future correspondence to the Board of Supervisors, once it has been scheduled as an agenda item, but prior to that meeting itself.

Sincerely,

Brian LoConte

Irish Hills resident, District #3



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

August 7, 2013

County of San Luis Obispo General Services Agency, Parks Division Attn: Ryan Hostetter 976 Osos St. San Luis Obispo, CA 93406

SUBJECT:

APPEAL OF COUNTY OF SAN LUIS OBISPO GENERAL SERVICES AGENCY, PARKS DIVISION DEVELOPMENT PLAN/COASTAL DEVELOPMENT PERMIT DRC2011-00069

HEARING DATE: JULY 25, 2013 / PLANNING COMMISSION

We have received an appeal on the above referenced matter. In accordance with County Real Property Division Ordinance Section 21.04.020, County Land Use Ordinance Section 22.70.050, and Section 23.01.042 of the Coastal Zone Land Use Ordinance, the matter will be scheduled for public hearing before the County Board of Supervisors. A copy of the appeal is attached.

The public hearing will be held in the Board of Supervisors' Chambers, County Government Center, San Luis Obispo. As soon as we get a firm hearing date and the public notice goes out, you will receive a copy of the notice.

Please feel free to telephone me at 781-5612 if you have any questions.

Sincerely.

Ramona Hedges, Secretary County Planning Commission

cc: Brian LoConte, RR 1 Box 245, San Luis Obispo, CA 93405
Jim Orton, County Counsel & Whitney McDonald, County Counsel

976 Osos Street, Room 300

SAN LUIS OBISPO

CALIFORNIA 93408

(805) 781-5600

EMAIL: planning@co.slo.ca.us

FAX: (805) 781-1242

WEBSITE: http://www.sloplanning.org

Attachment 2

<u>To:</u>

Ryan Hostetter/Planning/COSLO,

Cc:

Steve McMasters/Planning/COSLO, Ellen Carroll/Planning/COSLO, Nancy Orton/Planning/COSLO, Bill

Robeson/Planning/COSLO,

Bcc:

Subject: Appeal recieved - Pirates Cove improvment project DRC2011-00069

** YOUR ITEM HAS RECEIVED A COASTAL APPEAL!!! **

DATE RECEIVED: August 7, 2013

DATE DECIDED: July 25, 2013 Planning Commission Item 2

COUNTY FILE NUMBER:

DRC2011-00069

APPEALED TO: Board of Supervisors

APPEAL RECEIVED FROM: Brian LoConte

FEE RECEIVED:

0.00

Appropriate copies will be distributed ASAP.

And please see me to set up a BOS date. Here are the questions the BOS needs to be completed to request time. You may just copy these on a new email and I can email Kristi to request time.

Date Requested (or Round about date)
Amount of time requested
Provide the item name
Hearing Item or Board Business
The district
Contact person
State if the item will be noticed
When was the item noticed, or when will it be not

When was the item noticed, or when will it be noticed, it is a 10 day, 30 day, or a 45 day notice? Provide a brief couple of sentences as to what the item is about

Nicole Retana, Secretary NRetana@co.slo.ca.us



976 Osos Street, Room 300 San Luis Obispo, Ca 93408 805-781-5718

Ramona Hedges, (805) 781-5612 Planning Commission Secretary Custodian of Records Records Management Supervisor rhedges@co.slo.ca.us



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

MEMORANDUM

DATE:

August 7, 2013

TO:

JIM ORTON, COUNTY COUNSEL & WHITNEY McDONALD, COUNTY COUNSEL

FROM:

RAMONA HEDGES, PLANNING and BUILDING DEPARTMENT

RE:

APPEAL OF COUNTY OF SAN LUIS OBISPO GENERAL SERVICES AGENCY.

PARKS DIVISION (Improvements at Pirates Cove)

COUNTY FILE NUMBER: DRC2011-00069

PLANNING COMMISSION HEARING #2 - July 25, 2013

Please find attached copies of associated correspondence which have been forwarded to the Project Manager and Supervisor.

976 Osos Street, Room 300

SAN LUIS OBISPO

CALIFORNIA 93408

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